



IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division

GREGORY RICHARDSON,

Plaintiff,

v.

Civil Action No. 3:16CV67

OFFICER CADDELL, et al.,

Defendants.

MEMORANDUM OPINION

Gregory Richardson, a Virginia state inmate, submitted this civil action and applied to proceed in forma pauperis. The pertinent statute provides:

In no event shall a prisoner bring a civil action [in forma pauperis] if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.

28 U.S.C. § 1915(g). "Richardson has had at least three prior actions and appeals dismissed as frivolous or for failing to state a claim." Richardson v. Sisk, No. 3:07CV488, 2007 WL 3172527, at \*1 (E.D. Va. Oct. 26, 2007) (citations omitted) aff'd, 300 F. App'x 216 (4th Cir. 2008). Richardson's current complaint does not demonstrate that he is in imminent danger of serious physical harm.

Accordingly, this Court will dismiss the action without prejudice to Richardson refiling of the action accompanied by the full \$400.00 filing fee.

The Clerk of the Court is directed to send a copy of this Memorandum Opinion to Richardson.

It is so ORDERED.

Date: *March 14, 2016*  
Richmond, Virginia

*/s/ REP*  
\_\_\_\_\_  
Robert E. Payne  
Senior United States District Judge